



# Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

## PUBLIC HEARING NOTICE

The Massachusetts Department of Environmental Protection (MassDEP), under its authority pursuant to M.G.L. c. 21A, §§ 2, 8 and 16, M.G.L. c. 111, § 2C, M.G.L. c. 111, §§ 142A et seq., and M.G.L. c. 21N, commonly known as the Global Warming Solutions Act (GWSA), §§ 3(c), 3(d), 4 and 7, will hold public hearings in accordance with M.G.L. Chapter 30A on proposed amendments to 310 CMR 7.00 *Air Pollution Control*, and 310 CMR 60.00, *Air Pollution Control for Mobile Sources*. In accordance with the Supreme Judicial Court's decision, in the case of Kain v. DEP, 474 Mass. 278 (2016), directing MassDEP to promulgate new regulations in accordance with Section 3(d) of the GWSA that establish declining aggregate greenhouse gas (GHG) emissions on multiple categories of GHG emissions sources in the Commonwealth, and Governor Baker's Executive Order 569 directing MassDEP and other agencies to reduce GHG emissions to meet the goals set in the GWSA, MassDEP proposes to amend 310 CMR 7.00 and 310 CMR 60.00, including:

- 310 CMR 7.71(9) to change the regulation to conform to changes to retail seller GHG emission reporting required in 310 CMR 7.75.
- 310 CMR 7.72 to establish mass-based, annually declining aggregate limits on sulfur hexafluoride (SF<sub>6</sub>) emissions from active gas-insulated switchgear (GIS) owned by large utilities; establish aggregate limits on the same utilities; prevent increases in SF<sub>6</sub> emissions that could otherwise occur due to use of additional GIS equipment; and maintain the stringency of the existing program by retaining the SF<sub>6</sub> leak rate.
- 310 CMR 7.73 to establish mass-based, annually declining limits on methane emissions from mains and services for individual natural gas distribution system operators with a Gas System Enhancement Plan (GSEP) order from DPU; and establish mass-based, annually declining aggregate limits on total methane emissions from mains and services owned by all gas operators with a GSEP.
- 310 CMR 7.74 to establish mass-based, annually declining limits on GHG emissions from power plants in Massachusetts to ensure reductions associated with current electricity sector policies in the *Massachusetts Clean Energy and Climate Plan for 2020 Update* will occur in Massachusetts. (These policies include new clean energy supplies, energy efficiency, and the proposed Clean Energy Standard (CES) regulation at 310 CMR 7.75); establish a process for apportioning the aggregate limit on GHG emissions among existing and new power plants in Massachusetts; include a mechanism for power plants to earn and use over-compliance credits (OCCs), providing compliance flexibility; and require annual compliance reporting.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

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- 310 CMR 7.75 to establish obligations on retail electricity sellers to provide an annually increasing percentage of power from clean energy sources; define clean energy based on a GHG emissions-based performance standard, regardless of the technology used to generate the electricity; capture additional low- and zero-emissions generation technologies that are not included in the existing Renewable Portfolio Standard program as implemented by DOER; and set the stringency of the clean energy standard to support achieving the power plant GHG emissions limits set by 310 CMR 7.74.
- 310 CMR 60.05 to establish mass-based, annually declining aggregate limits on carbon dioxide (CO<sub>2</sub>) emissions from MassDOT operations; establish mass-based, annually declining aggregate targets for reductions of carbon dioxide (CO<sub>2</sub>) emissions from certain transportation sector sources in the Commonwealth; require MassDOT to calculate and report on whether its CO<sub>2</sub> emissions limit and the sector target were achieved each year, and implement supplemental measures and initiatives within the areas of MassDOT's responsibilities if its emissions limit is not met.
- 310 CMR 60.06 to establish mass-based, annually declining limits on CO<sub>2</sub> emissions from the passenger vehicle fleet owned or leased by each Secretariat in the Executive Branch in the Commonwealth; and require each Secretariat to report annually on their passenger and non-passenger vehicle fleets, including whether the annual CO<sub>2</sub> emissions limit on their passenger vehicle fleet was achieved.

The proposed amendments and a background document are available on MassDEP's website at <http://www.mass.gov/eea/agencies/massdep/air/climate/section3d-comments.html>.

Public hearings will be held:

Monday, February 6, 2017 from 9:00 AM to 11:30 AM; 1:00 PM to 4:00 PM; and at 6:00 PM  
MassDEP Boston Office, One Winter Street, Boston, MA

Monday, February 6, 2017 at 9:00 AM  
MassDEP Southeast Regional Office, 20 Riverside Drive, Lakeville, MA

Wednesday, February 8, 2017 at 9:00 AM and 6:00 PM  
MassDEP Central Regional Office, 8 New Bond Street, Worcester, MA

Wednesday, February 8, 2017 at 2:00 PM  
Springfield Central Library, 220 State Street, Springfield, MA

If one or more of the previously scheduled public hearings is cancelled due to inclement weather, additional public hearings will be held on:

Friday, February 10, 2017 at 9:00 AM  
MassDEP Boston Office, One Winter Street, Boston, MA  
AND  
MassDEP Central Regional Office, 8 New Bond Street, Worcester, MA

The last hearing at each location will remain open until all parties in attendance have been heard, with the exception of the Springfield Public Library that closes at 8 PM.

Testimony may be presented orally or in writing at the public hearings. MassDEP will accept written comments until 5:00 PM on February 24, 2017. Written comments may be submitted in the following three ways: through the online portal available at: <http://www.mass.gov/eea/agencies/massdep/air/climate/section3d-comments.html>, by email to [climate.strategies@state.ma.us](mailto:climate.strategies@state.ma.us) or by mail to: Jordan Garfinkle, MassDEP, 7<sup>th</sup> floor, One Winter Street, Boston, MA 02108.

For special accommodations for these hearings, please call MassDEP Diversity Office at 617-292-5751. TTY# MassRelay Service 1-800-439-2370. This information is available in alternate format upon request.

By Order of the Department  
Martin Suuberg  
Commissioner